

AO 440 (Rev. 06/12) Summons in a Civil Action

## UNITED STATES DISTRICT COURT

for the

Western District of Texas

The State of Texas

\_\_\_\_\_  
*Plaintiff(s)*

v.

U.S. Department of Homeland Security, et al.

\_\_\_\_\_  
*Defendant(s)*

Civil Action No. 2:23-cv-00055

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Jason Owens, in his official capacity as Chief of the US Border Patrol  
by registered or certified mail to:  
Del Rio Sector, US Border Patrol  
2401 Dodson Avenue  
Del Rio, Texas 78840

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Ryan D. Walters  
Office of the Attorney General  
Special Litigation Division  
PO Box 12548, Capitol Station  
Austin, TX 78711-2548  
ryan.walters@oag.texas.gov

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT, PHILIP J. DEVLIN

Date:

10/26/23



*Cecilia R. J.*  
\_\_\_\_\_  
Signature of Clerk or Deputy Clerk

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Civil Action No. 2:23-cv-00055

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* Jason Owens, in his official capacity as Chief of the US Border Patrol  
 was received by me on *(date)* 10/26/23.

☒ I personally served the summons on the individual at *(place)* US Border Patrol Del Rio Sector  
2401 Dodson Avenue Del Rio, TX 78840 on *(date)* 10/30/23; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
 \_\_\_\_\_, a person of suitable age and discretion who resides there,  
 on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
 designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I returned the summons unexecuted because \_\_\_\_\_; or

☐ Other *(specify)*:

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: 10/30/23

/s/ Ryan D. Walters

*Server's signature*

Ryan D. Walters, Chief for Special Litigation Division

*Printed name and title*

Office of the Attorney General  
PO Box 12548, Capitol Station  
Austin, TX 78711-2548

*Server's address*

Additional information regarding attempted service, etc:

On October 27, 2023, I served this summons, Plaintiff's Original Complaint, Plaintiff's Motion for Preliminary Injunction or Stay of Agency Action and Appendix, and Plaintiff's Emergency Motion for a Temporary Restraining Order or Stay of Agency Action and Appendix; via Certified Mail, Return Receipt Requested - 7004 1160 0000 7308 0032-Delivered 10/30/23.

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS, FOLD AT DOTTED LINECERTIFIED MAIL<sup>®</sup>7004 1160 0000 7308 0032  
7004 1160 0000 7308 0032U.S. Postal Service<sup>™</sup>CERTIFIED MAIL<sup>™</sup> RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

OFFICIAL USE

Postage \$

Ret  
(Endorse)Restrict  
(Endorse)

Total F

Jason Owens, in his official capacity as  
Chief of the US Border Patrol  
US Border Patrol Del Rio Sector  
2401 Dodson Avenue  
Del Rio, TX 78840

Sent To

Street, Apt. No.,  
or PO Box No.

City, State, ZIP+4

PS Form 3800, June 2002

See Reverse for Instructions

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

Jason Owens, in his official capacity as  
Chief of the US Border Patrol  
US Border Patrol Del Rio Sector  
2401 Dodson Avenue  
Del Rio, TX 78840

9590 9402 6326 0296 0613 53

## 2. Article Number (Transfer from service label)

7004 1160 0000 7308 0032

## COMPLETE THIS SECTION ON DELIVERY

## A. Signature

X

☐ Agent☐ Addressee

## B. Received by (Printed Name)

## C. Date of Delivery

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

## 3. Service Type

☐ Adult Signature☐ Adult Signature Restricted Delivery☒ Certified Mail<sup>®</sup>☐ Certified Mail Restricted Delivery☐ Collect on Delivery☐ Collect on Delivery Restricted Delivery

(over \$500)

Restricted Delivery

☐ Priority Mail Express<sup>®</sup>☐ Registered Mail<sup>™</sup>☐ Registered Mail Restricted Delivery☒ Signature Confirmation<sup>™</sup>☐ Signature Confirmation

Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

[FAQs >](#)

Tracking Number:

[Remove X](#)**70041160000073080032**[Copy](#)[Add to Informed Delivery \(https://informedelivery.usps.com/\)](https://informedelivery.usps.com/)

## Latest Update

Your item was delivered to the front desk, reception area, or mail room at 9:58 am on October 30, 2023 in DEL RIO, TX 78840.

### Get More Out of USPS Tracking:

**USPS Tracking Plus®**

Feedback

#### Delivered

**Delivered, Front Desk/Reception/Mail Room**

DEL RIO, TX 78840

October 30, 2023, 9:58 am

#### Out for Delivery

DEL RIO, TX 78840

October 30, 2023, 6:10 am

#### Arrived at Hub

DEL RIO, TX 78840

October 29, 2023, 7:11 am

#### Arrived at USPS Facility

DEL RIO, TX 78840

October 29, 2023, 6:04 am

#### Departed USPS Regional Facility

SAN ANTONIO TX DISTRIBUTION CENTER

October 29, 2023, 2:56 am

#### Departed USPS Regional Facility

SAN ANTONIO TX DISTRIBUTION CENTER ANNEX  
October 28, 2023, 9:42 pm

**Arrived at USPS Regional Facility**

SAN ANTONIO TX DISTRIBUTION CENTER ANNEX  
October 28, 2023, 9:39 am

**Departed USPS Regional Facility**

AUSTIN TX DISTRIBUTION CENTER  
October 28, 2023, 8:04 am

**Arrived at USPS Regional Facility**

AUSTIN TX DISTRIBUTION CENTER  
October 27, 2023, 11:38 pm

**Hide Tracking History**

**What Do USPS Tracking Statuses Mean?** (<https://faq.usps.com/s/article/Where-is-my-package>)

**Text & Email Updates**



**USPS Tracking Plus®**



**Product Information**



**See Less**

Track Another Package

Enter tracking or barcode numbers

## Need More Help?

Contact USPS Tracking support for further assistance.

**FAQs**